



Government of the District of Columbia
Office of the Chief Financial Officer
Office of Tax and Revenue

DISTRICT OF COLUMBIA 2018 REAL PROPERTY TAX SALE INFORMATIONAL GUIDE

A User Guide for the Office of Tax & Revenue Employees

Note: Please encourage any individual interested in purchasing property at the 2018 Tax Sale to attend the Tax Sale Seminar. This document contains general information about the Tax Sale. More detailed information regarding the Tax Sale process will be presented at the Tax Sale Seminar.

**DISTRICT OF COLUMBIA
2018 REAL PROPERTY TAX SALE
INFORMATIONAL GUIDE**

TABLE OF CONTENTS

1. When and where will the District of Columbia Tax Sale be held?	5
2. When and where can you register for the District of Columbia Tax Sale?	5
3. Why is the District of Columbia conducting a Tax Sale?	5
4. What is the threshold?	5
5. When and where are the District of Columbia Tax Sale Seminars held?	6
6. Where can a potential purchaser or bidder obtain a list of properties to be auctioned at the Tax Sale?	6
7. What are some suggested websites that a potential purchaser can view to research outstanding liabilities of any property being auctioned?	7
8. Can a property be inspected prior to the Tax Sale	8
9. Can a delinquent taxpayer participate in the Tax Sale?	8
10. Who is prohibited from participating in the Tax Sale?	8-9
11. Must I register for DC taxes?	9
12. What information is required to register to bid at the Tax Sale?	10
13. What is the minimum deposit required to bid?	10
14. What happens if the Tax Sale bidder wins a property and the bidder has a deposit less than 20% of the winning bid?	11
15. What will the bidder receive after paying the deposit?	11
16. What is the bidding process at the Tax Sale?	12
17. When is a bid entered?	12

DISTRICT OF COLUMBIA
2018 REAL PROPERTY TAX SALE
INFORMATIONAL GUIDE

18. Will the District delay the bidding process to allow a bidder to increase a deposit?	12
19. When is the payment due for the property purchased at the Tax Sale?	12
20. Where can a Tax Sale purchaser make a final payment?	12-13
21. Can a buyer request an invoice of their final payment before the last day of the Tax Sale?	13
22. Will the buyer receive an invoice/ bill from the District for their final payment due?	13
23. Does the buyer still have to submit the payment in full if they did not receive an invoice/ bill from the District for the payment?	13
24. Where can a buyer obtain a duplicate invoice for the payment due?	14
25. What happens to the property sold if the District does not receive the final payment within five business days after the last day of the Tax Sale?	14
26. What will the District issue to the Tax Sale purchaser once the payment of the purchase price has been processed?	14
27. Does the buyer own the property purchased at the Tax Sale once a Certificate of Sale has been issued for the property?	15
28. What is the process for issuing a refund to the non-winning bidder or surplus deposit for winning bidders?	15
29. Where and when does the buyer post the Post-Tax Sale Notice?	15
30. Notifying OTR when a Complaint is filed in Superior Court	15
31. What is the process for issuing a refund once a Certificate of Sale has been issued?	16
32. What is the rate of interest that a buyer will receive on property redeemed by the owner?	16
33. Why does the District cancel a sale and what happens when a sale is cancelled?	16-17

DISTRICT OF COLUMBIA
2018 REAL PROPERTY TAX SALE
INFORMATIONAL GUIDE

34. What must be paid by the property owner prior to the Tax Sale?	18
35. Where can a property owner make a payment?	18-19
36. What must the property owner pay after the Tax Sale but before the title search within 4 months after the Tax Sale?	19
37. What must the property owner pay after the 4-month period from the Tax Sale but before the foreclosure action?	19
38. What must the property owner pay after a foreclosure action has been filed?	19-20
39. What documentation must a Tax Sale purchaser provide to OTR to receive a refund?	21
40. Post Judgment Equity Distribution	22

**DISTRICT OF COLUMBIA
2018 REAL PROPERTY TAX SALE
INFORMATIONAL GUIDE**

1. When and where is the District of Columbia Tax Sale held?

- a. WHEN:
July 17-18, 2018
- b. WHERE:
Office of Tax and Revenue
1101 4th Street, SW
2nd Floor, Room W250
Washington, DC 20024
- c. TIME:
8:30 a.m. to 12:00 noon and 1:00 p.m. to 4:00 p.m., or until all properties advertised for that day are sold.

2. When and where can you register for the District of Columbia Tax Sale?

- a. WHEN:
July 9-18, 2018
- b. WHERE:
Office of Tax and Revenue
1101 4th Street, SW
Suite W254
Washington, DC
- c. TIME:
8:15 a.m. to 4:00 p.m., or if on a tax sale day until all properties advertised for that day are sold.

NOTE: Prospective buyers/bidders must register to participate in the Tax Sale.

3. Why is the District of Columbia conducting a Tax Sale?

The Tax Sale is an annual event held pursuant to DC Official Code § 47-1332(a) in which the District of Columbia sells real property on which the taxes are delinquent.

4. What is the threshold?

The tax sale threshold is generally \$2,500 for the July 2018 tax sale. Thus, no property with an improvement can be sold for less than \$2,500 in delinquent taxes (prior to inclusion of a tax sale fee). True vacant land has a threshold of \$200 in delinquent taxes (prior to inclusion of a tax sale fee).

NOTE: OTR is not selling any property at the July 2018 tax sale that was sold in the past 4 years and the case is still active.

**DISTRICT OF COLUMBIA
2018 REAL PROPERTY TAX SALE
INFORMATIONAL GUIDE**

5. When and where are the District of Columbia Tax Sale Seminars held?

- a. WHEN:
June 26 and 27, 2018
- b. WHERE:
District of Columbia Office of Tax and Revenue
1101 4th Street, SW
2nd Floor, Room W250
Washington, DC 20024
- c. TIME:
9:30 a.m. to 12:00 noon and 2:00 p.m. to 4:30 p.m., both days.

REGISTRATION: All persons interested in *participating in the Tax Sale are encouraged to attend the Tax Sale Seminar.*

- d. Tax Sale Seminar registration methods
 - *in person* at the Office of Tax and Revenue, 1101 4th Street, SW, 2nd Floor, Customer Service Center, Washington, DC; or
 - *by phone* by contacting the Office of Tax and Revenue's Customer Service Center at (202) 727-4829 or (202) 727-4TAX.

6. Where can a potential purchaser or bidder obtain a list of properties to be auctioned at the Tax Sale?

- a. Newspaper Advertisement:
 - The Northwest Current, June 13, 2018.
 - The Washington Informer, June 14, 2018.
 - The Washington Times, June 14, 2018.
- b. OTR's website:
 - Go to www.mytax.dc.gov ;
 - Look under "Real Property" and click on the link for "Real Property Tax Sale;" and
 - Under "2018 Tax Sale Listing," click on "2018 Tax Sale Listing."

* Advertised properties may be removed based on updates, including, without limitation, payments made which may cause properties to owe less than the threshold. As a result, not all of the properties listed may be auctioned.

DISTRICT OF COLUMBIA
2018 REAL PROPERTY TAX SALE
INFORMATIONAL GUIDE

7. What are some suggested websites that a potential purchaser can view to research outstanding liabilities of any property being auctioned?

- a. Tax Liens – Recorder of Deeds website – This website provides valuable information about mortgages, liens and encumbrances affecting the title to property. To use this website, go to:
 - www.mytax.dc.gov;
 - Then click on “Recorder of Deeds”
 - Then click on “Recorder of Deeds - Document Images”
 - Click on “Online Public Records”
 - Click on “Search”
 - Click on “Create New User Account”
 - Then complete information to access the Recorder of Deeds website.
- b. Real Property Tax Assessment website - This website includes valuable information about each property including the neighborhood, sub-neighborhood, class, assessed value, gross building area, land area, real property taxes and payment history. To use this website:
 - Go to www.mytax.dc.gov;
 - Click on “Real Property;”
 - Then “Real Property Tax Database Search;”
 - Then “Search Real Property Assessment Database;” and
 - Type in 4 digits for Square (*e.g.*: 0111), 1 or 2 letters for Suffix (*e.g.* W), and 4 digits for Lot (*e.g.* 0001).

DISTRICT OF COLUMBIA
2018 REAL PROPERTY TAX SALE
INFORMATIONAL GUIDE

8. Can a property be inspected prior to the tax sale?

It is recommended, but not required, that anyone interested in purchasing a property at the Tax Sale locate and identify it before bidding. However, the advertisement or sale of a property at Tax Sale does not grant a right of entry to a potential bidder or the tax sale purchaser. The entry onto a property for any purpose, whatsoever, by a potential bidder or the tax sale purchaser may be subject to the laws on trespass.

9. Can a delinquent taxpayer participate in the Tax Sale?

DC Official Code § 47-1346(a)(5) provides that:

- a. A potential purchaser, including a natural person or business entity, who is delinquent in payment of *in rem* taxes to the District or who has been convicted of a felony involving fraud, deceit, moral turpitude, or anti-competitive behavior, may not bid on or otherwise acquire an interest in real property offered at the Tax Sale.
 - A “potential purchaser” includes a person owning a 10% or more equity interest in, or an officer of, an entity that owns a 10% or more equity interest in real property on which taxes are delinquent.
- b. A potential purchaser must certify under oath, subject to penalties of perjury, that the potential purchaser is not more than one year in arrears in any other jurisdiction in payment of *in rem* taxes not being contested in good faith, and may not have been convicted of a felony involving fraud, deceit, moral turpitude, or anti-competitive behavior.
- c. If it is determined that a bidder violated any of the foregoing, the certificate of sale issued to such purchaser is voidable. If such certificate of sale is voided, *all monies paid will be forfeited*.

10. Who is prohibited from participating in the Tax Sale?

In addition to delinquent taxpayers as described in Paragraph 9, above, District of Columbia government employees and contractors, or the family members or business associates of District government employees and contractors, under the following classifications or employed in the following offices or positions, are not permitted to register for or bid on properties at any tax sale:

- a. Executive Service employees as described in D.C. Official Code § 1.610.51 (2016 Repl.);
- b. Office of the City Administrator;
- c. Office of the Deputy Mayor for Planning and Economic Development, and the following subordinate organizations thereunder: Department of Consumer and Regulatory Affairs, Department of Housing and Community Development, and the Office of Planning;
- d. Office of the Chief Financial Officer; and
- e. Mayor, Councilmember, Advisory Neighborhood Commissioner, or a staff member thereof.

DISTRICT OF COLUMBIA
2018 REAL PROPERTY TAX SALE
INFORMATIONAL GUIDE

The phrase “family member” means:

- a. A person to whom the employee is related by blood, legal custody, or marriage;
- b. A child who lives with the employee and for whom the employee permanently assumes and discharges parental responsibility;
- c. A person with whom the employee shares or has shared, within the last year, a mutual residence and with whom the employee maintains a committed relationship;
- d. A foster child;
- e. A domestic partner; or
- f. A dependent child of a domestic partner, which includes an unmarried person under 22 years of age, an unmarried person under 25 years of age who is a full-time student, or an unmarried person regardless of age who is incapable of self-support because of a mental or physical disability that existed before age 22. A dependent child of a domestic partner includes a natural child, adopted child, stepchild, foster child, or child in the legal custody of a domestic partner.

The phrase “business associate” means:

- a. An organization in which the employee, elected official, or contractor serves as an officer, director, trustee, or employee; or
- b. Any person or organization with whom the employee, elected official, or contractor is negotiating employment or has any arrangement concerning prospective employment.

11. Must I register for DC taxes?

A potential purchaser/bidder must complete a Combined Business Tax Registration Application (Form FR-500). Form FR-500 should be filed *online* by visiting the Office of Tax and Revenue's website at:

- a. Go to www.mytax.dc.gov;
- b. Click on “Register a New Business – Form FR-500;” and
- c. Follow instructions to submit the form.

DISTRICT OF COLUMBIA
2018 REAL PROPERTY TAX SALE
INFORMATIONAL GUIDE

12. What information is required to register to bid at the Tax Sale?

- a. Each prospective purchaser/bidder will be *required* to provide personal information, including the following:
- Driver's license or state issued identification card;
 - Name(s) of potential purchaser(s) (maximum of two names per registration);
 - Potential purchaser's mailing address;
 - Potential purchaser's telephone numbers (home, business and fax);
 - Attorney information (if available);
 - Notice of Business Tax Registration (issued by OTR's Customer Service Administration);
 - Potential purchaser's Social Security Number or Federal Employer Identification Number (FEIN) (please note that a business, including an LLC, must provide a FEIN); and
 - A properly completed IRS Form W-9 (please attach IRS Form W-9 to the Tax Sale registration form).

13. What is the minimum deposit required to bid?

- a. The required minimum deposit in order to bid is 20% of the total purchase price. This deposit should be paid immediately after completing and signing the registration form.
- b. The potential purchaser/bidder can pay the deposit at the following location and times:
- Location:
Cashier's Office of the DC Treasurer,
1101 4th Street, SW
1st Floor
Washington, DC 20024
 - Time:
8:15 a.m. to 4:30 p.m.
Monday through Friday or, until all properties advertised for that day are sold.
- c. Payment Method:
Payments can be made by cash, certified check, money order, cashier check or by bank check (personal or business checks will not be accepted).

Payment must be made payable to the DC Treasurer.

DISTRICT OF COLUMBIA
2018 REAL PROPERTY TAX SALE
INFORMATIONAL GUIDE

14. What happens if the Tax Sale bidder wins a property and the bidder has a deposit of less than 20% of the winning bid?

- a. The sale is not complete if the bidder's deposit (or remaining amount on deposit) is less than 20% of the successful bid.
- b. If the required deposit is not remitted prior to bidding, the property will be re-auctioned immediately or as soon as possible.
- c. Bidders may increase deposits at any time during the Tax Sale by making payments at the Cashier's Office of the DC Treasurer on the 1st Floor of 1101 4th Street, SW, Washington, DC.
- d. The Office of Tax and Revenue will not delay bidding to allow a bidder to increase a deposit.
- e. In cases where the Tax Sale bidder bids on multiple properties, the deposit on record will be applied to the winning bid amounts in the order that the bids were placed. If a Tax Sale buyer bids on a property for which he or she has an insufficient deposit, that property for which there is insufficient deposit will be re-auctioned.

For example: Purchaser C places the winning bid on three properties and has a deposit of \$2,000. Therefore, Purchaser C's total bid amount may not exceed \$10,000. The winning bid for Property 1 was \$5,000; the winning bid for Property 2 was \$8,000 and the winning bid for Property 3 was \$4,500.

There is a sufficient amount on deposit to cover the first bid on Property 1, and that bid will become final. However, there is not enough money on deposit to cover the first and second bids once they are combined. Since the total amount of the first two bids (\$5,000 + \$8,000 = \$13,000) exceeds the \$10,000 bid limit based on the \$2,000 deposit, the second bid will be cancelled and Property 2 will be re-auctioned. Since the amount of the third bid would not cause the total amount of the bids to exceed the \$10,000 bid limit, the third bid also would become final. The sales for Property 1 and Property 3 would become final.

15. What will a bidder receive after paying the deposit?

- f. A registration number will be assigned to each Tax Sale bidder at the Office of Tax and Revenue, 1101 4th Street, SW, Room W250, Washington, DC.
- g. A copy of the Tax Sale Registration form must be presented to receive a "number card." Each potential purchaser will receive a "number card" that will be used during the bidding process. The potential purchaser must turn in the number card to the Tax Sale Registration Desk at the end of each session.

DISTRICT OF COLUMBIA
2018 REAL PROPERTY TAX SALE
INFORMATIONAL GUIDE

16. What is the bidding process at the Tax Sale?

- a. The opening bid for each property will be the amount of delinquent taxes for which the property may be sold, including penalties and interest, plus a \$200 tax sale fee. The bids will be raised by increments of \$25, \$100, \$500, \$1,000, \$10,000, etc., until the property is sold to the highest bidder. All sales are final.

Properties will be sold in the order they are listed in the newspapers and will be announced by square, suffix and lot numbers. Advertised properties may be subject to change, without limitation, based on updates and payments. As a result, not all of the properties listed may be auctioned. It is very important to be aware of the property being auctioned and to follow along with the auctioneer.

Note: Pictures and videotaping is prohibited during the bidding process

17. When is a bid entered?

- a. A bid is entered when a potential purchaser/bidder raises the "number card" high enough so the auctioneer can see it.
- b. The auctioneer will state the number of the successful bidder before the auction proceeds to the next listed property. Failure to immediately contest the winning bid may result in a bidder becoming the successful buyer of a property, even if it was not the bidder's intention to enter the final bid. The auction will be recorded to ensure the accuracy of the bidding process.

18. Will the District delay the bidding process to allow a bidder to increase a deposit?

No. Bidding *will not* be delayed to allow a bidder to increase a deposit.

19. When is the payment due for the property purchased at the Tax Sale?

By law, payment in full, also referred to as the final payment, is due from a successful Tax Sale buyer within *five business days* from the last day of the Tax Sale. For the July 2018 Tax Sale, the final payment will be due by **July 25, 2018**.

20. Where can the Tax Sale purchaser make a final payment?

- a. In Person
 - i. Location:
Cashier's Office of the DC Treasurer
1101 4th Street, SW, 1st Floor
Washington, DC
 - ii. Time:
8:15 a.m. to 4:30 pm.
Monday through Friday
(Except legal holidays)

**DISTRICT OF COLUMBIA
2018 REAL PROPERTY TAX SALE
INFORMATIONAL GUIDE**

- b. By Mail
 - i. Address:
Office of Tax and Revenue
Real Property Tax Administration
Assessment Services Division/Tax Sale Unit
1101 4th Street, SW
5th Floor, Suite W550
Washington, DC 20024
Note – All payments sent by mail must be postmarked within 5 business days after the last day of the Tax Sale – by **July 25, 2018**.
- c. Payment Method:
 - i. Cash, certified check, money order, cashier check or by bank check (personal and business checks will not be accepted).
Payment must be made payable to the DC Treasurer.

It is highly recommended that the final payment be remitted in person to avoid any possible mail delivery problems.

21. Can a buyer request an invoice for their final payment before the last day of the Tax Sale?

Yes. A buyer can obtain an invoice for their final payment from a Tax Sale Unit employee.

22. Will the buyer receive an invoice/bill from the District for the final payment due?

An invoice will be mailed to the successful Tax Sale buyer identifying the property purchased and the balance of the sale price owed.

23. Does the buyer have to submit the payment in full if they did not receive an invoice/bill from the District for the payment?

Yes. The successful Tax Sale buyer must pay the balance due on the sale price within five business days after the last day of the Tax Sale (by **July 25, 2018**), even if he or she did not receive an invoice from the District in the mail.

DISTRICT OF COLUMBIA
2018 REAL PROPERTY TAX SALE
INFORMATIONAL GUIDE

24. Where can a buyer obtain a duplicate invoice for the payment due?

- a. In Person
 - i. Location:
Office of Tax and Revenue Walk-in Center
1101 4th Street, SW, 2nd Floor
Washington, DC
 - ii. Time:
8:15 a.m. to 4:30 p.m.
Monday through Friday
(Except legal holidays)
- b. By Contacting
 - i. Location:
Office of Tax and Revenue Customer Service Center
1101 4th Street, SW, 2nd Floor
Washington, DC 20024
Tel. (202) 727-4TAX (4829)

25. What happens to the property sold if the District does not receive the final payment due on the property within five business days after the last day of the Tax Sale?

- a. If final payment is not received by the prescribed date, 20% of the deposit will be forfeited to the District and the sale of the property will be voided.
- b. If the Tax Sale buyer has purchased multiple properties and can only make a partial payment, the Office of Tax and Revenue will only select as sold to the Tax Sale buyer as many properties as sold in consecutive order whose combined purchase price does not exceed the partial payment and 80% of the deposit.
- c. The remaining, subsequently sold properties to which the partial payment and 80% of the deposit were not applied will be “bid back” to the District.

26. What will the District issue to the Tax Sale purchaser once the payment of the purchase price has been processed?

Approximately 4 to 6 weeks after the Tax Sale, the Office of Tax and Revenue, Real Property Tax Administration, will issue a Certificate of Sale for each property sold at the Tax Sale and for which the purchase price has been paid and reconciled.

DISTRICT OF COLUMBIA
2018 REAL PROPERTY TAX SALE
INFORMATIONAL GUIDE

27. Does the buyer own the property purchased at the Tax Sale, once a Certificate of Sale has been issued for the property?

- a. No. The Certificate of Sale does not grant to the Tax Sale purchaser legal title to the property, or any right to enter the property. The Certificate of Sale entitles the Tax Sale Purchaser to institute legal proceedings to foreclose the right of redemption beginning 6 months after the last day of the sale if the taxes remain unpaid.
- b. *Note that the property owner has the right to redeem the property at any time prior to the issuance of a final order in the foreclosure case.*
- c. The tax sale purchaser may appeal the valuation of Class 3 or Class 4 Properties that were sold at any discount sale.

28. What is the process for issuing a refund to the non-winning bidders or surplus deposit for winning bidders?

Approximately 4 to 6 weeks after the Tax Sale, the Office of Tax and Revenue will refund to non-winning bidders the deposit paid and to winning bidders any surplus deposit paid in excess of his or her winning bid(s).

29. Where and when does the buyer post the Post-Tax Sale Notice?

The buyer must post a copy of the post-tax sale notice on a place on the premises where it can be conveniently read. The notice must be posted no sooner than 4 months after the date of the tax sale but at least 45 days before the filing of a complaint pursuant to D.C. Code § 47-1370.

30. Notifying OTR when a Complaint is filed in Superior Court

- a. The tax sale purchaser is required to notify OTR and the Real Property Tax Ombudsman of filing of the Complaint to Foreclose the Right of Redemption within thirty (30) days of the filing.
- b. Such notification shall be by electronic mail to OTR's Tax Sale Unit at taxsale@dc.gov and to the Real Property Tax Ombudsman at realpropertytax@dc.gov. The subject line of such electronic mail shall state: "Foreclosure Action Filed." The electronic mail shall contain as attachments copies of the complaint and certificate of sale.
- c. OTR and the Real Property Tax Ombudsman shall provide reply confirmations to the purchaser by electronic mail within five (5) business days of receipt of the notice from the tax sale purchaser.

DISTRICT OF COLUMBIA
2018 REAL PROPERTY TAX SALE
INFORMATIONAL GUIDE

31. What is the process for issuing a refund once a Certificate of Sale has been issued?

- a. OTR will issue a refund once the taxes on the real property tax bill (including amounts certified pursuant to D.C. Code § 47-1340), BID taxes and vault rents have been paid to current. The real property's account shall be deemed to have been brought to current if the amounts payable to OTR, including tax, interest, penalties and expenses falls below \$100. The remaining balance shall remain due and owing and any remaining expenses shall thereafter be deemed a real property tax.
- b. In addition to the items required pursuant to Paragraph 38, the Tax Sale purchaser must surrender the original Certificate of Sale to the Office of Tax and Revenue to initiate the refund process.
- c. Processing of Tax Sale refunds takes approximately 4 to 6 weeks, if all supporting documentation required by OTR to process a Tax Sale refund is timely and completely provided by the Tax Sale purchaser (see Paragraph 38).

32. What is the rate of interest that a buyer will receive on property redeemed by the owner?

- a. Interest is paid at a rate of 1.5% per month or portion thereof on the sale amount, exclusive of surplus, beginning on the first day of the month immediately following the date of the tax sale until the date the real property taxes, BID taxes and vault rents have been paid to current, to less than \$100, or to the date of cancellation.
- b. Interest is not paid on the surplus amount, which is defined as the amount that is bid over and above the opening bid (amount of the delinquent taxes, penalty, interest and costs).

For payment update information please visit our website:

www.mytax.dc.gov;

- ii. Then click on "Real Property;"
- iii. Click on "Real Property Tax Sale;"
- iv. Then click on "Real Property Tax Sale Payment Report" towards the bottom of the page; and
- v. Click on "Payment Report."

33. Why does the District cancel a sale and what happens when a sale is cancelled?

- a. A Tax Sale may be cancelled to prevent an injustice to the owner or person with an interest in the real property.
- b. If the sale is cancelled by the District, the amount of interest to be refunded will be at the rate of *1.5% per month* or portion thereof on the

DISTRICT OF COLUMBIA
2018 REAL PROPERTY TAX SALE
INFORMATIONAL GUIDE

sale amount, exclusive of surplus beginning on the first day of the month immediately following the date of the tax sale until the date of the cancellation of the tax sale.

- c. The Office of Tax and Revenue may terminate a tax sale if, *inter alia*, the property was sold with incorrect ownership or the owner is in bankruptcy under protection of a stay. If a tax sale buyer discovers incorrect ownership or a bankruptcy filing when he or she obtains the title report, the tax sale buyer should not file a lawsuit. The tax sale buyer should contact the Office of Tax and Revenue to begin the termination process. The Office of Tax and Revenue generally will not reimburse the tax sale buyer for any expenses in excess of the \$300.00 title search expense, \$31.50 certificate of sale recording expense and \$50 posting expense if the property was sold with incorrect ownership or the owner is in bankruptcy under protection of a stay.
- d. Other examples of circumstances in which the District may cancel a sale may include, without limitation:
 - i. where the record owner pays the amount set forth in the Notice of Delinquency to Avoid the Tax Sale as required under § 47-1341(a) or otherwise pays the outstanding taxes before the Tax Sale;
 - ii. payment was applied to an incorrect tax year;
 - iii. payment was applied to incorrect property account;
 - iv. property is exempt from tax;
 - v. where the property is receiving a homestead deduction and was sold at a tax sale within the last 4 years;
 - vi. where the record owner (or heir of a deceased record owner) occupies as his/her personal residence a Class 1 property with 5 or fewer units and proves the Mayor failed to mail the Notice of Delinquency to Avoid the Tax Sale (pursuant to § 47-1341(a)) or the Post-Tax Sale Notice (under § 47-1353.01);
 - vii. the mailing address of the person who last appears as the record owner of the real property on the tax roll was not properly updated by OTR despite proper filing of a change of address form; or
 - viii. The tax amount for which the property is offered at tax sale is less than \$2,500 for improved Class 1 properties.
- e. Sales of properties owned by low-income seniors who later deferred taxes pursuant to D.C. Code §47-845.03 shall be cancelled. Notwithstanding such a cancellation, the amount of accrued attorneys' fees paid to a tax sale purchaser by the District when a sale is so cancelled shall remain the liability of the property owner. Upon payment of the refund to the tax sale purchaser, OTR shall add the amount representing the legal fees to the real property tax account of the low-income senior.
- f. The tax sale purchaser must surrender a copy of the Certificate of Sale (if issued) to the Office of Tax and Revenue to initiate the refund process.

DISTRICT OF COLUMBIA
2018 REAL PROPERTY TAX SALE
INFORMATIONAL GUIDE

34. What must be paid by the property owner prior to the Tax Sale?

- a. The property owner must pay all delinquent real property taxes through the 2017 real property tax year (and any BID taxes and vault rents) as included on the Notice of Delinquency to Avoid the Tax Sale as required under § 47-1341(a); and
- b. In cases where an external agency liability is certified and included in the Notice of Delinquency to Avoid the Tax Sale as required under § 47-1341(a), the property owner must pay the certified external agency liability (*e.g.* DC Water, DCRA, and DPW).

35. Where can the property owner make a payment?

- a. Any Wells Fargo bank located in Washington, DC (the Wells Fargo banks located outside of Washington, DC will not accept the payment); or
- b. Office of Tax and Revenue, Customer Service Center, 1101 4th Street, SW, 2nd Floor, Washington, DC 20024, 202-727-4TAX (4829).

Note: The property owner is responsible for providing proof of payment to the Office of Tax and Revenue within 24 hours after payment has been made at any Wells Fargo bank located in Washington, DC. The property owner is encouraged to bring the proof of payment to OTR, at the address listed above, or by faxing a

DISTRICT OF COLUMBIA
2018 REAL PROPERTY TAX SALE
INFORMATIONAL GUIDE

copy of the receipt to the Tax Sale Unit at (202) 478-5995. Please indicate the square and lot numbers on the receipt

36. What must the property owner pay after the Tax Sale but before the title search within 4 months after the Tax Sale?

- a. Pay all real property taxes (including amounts certified pursuant to D.C. Code § 47-1340), BID taxes, and vault rents to bring the real property current.
- b. Pay all delinquent special assessments owed pursuant to an energy efficient loan agreement under subchapter IX of Chapter 8 of Title 47.

37. What must the property owner pay after the 4-month period from the Tax Sale but before the foreclosure action?

- a. All real property taxes (including amounts certified pursuant to D.C. Code § 47-1340), BID taxes, and vault rents to bring the real property current;
- b. Amount of \$50 for posting the post-tax sale notice required by §47-1353.01;
- c. Costs for recording the certificate of sale, \$31.50;
- d. Cost of a title search, not to exceed \$300; and
- e. All delinquent special assessments owed pursuant to an energy efficient loan agreement under subchapter IX of Chapter 8 of Title 47.

38. What must the property owner pay after a foreclosure action has been filed?

- a. All real property taxes (including amounts certified pursuant to D.C. Code § 47-1340), BID taxes, and vault rents to bring the real property current;
- b. Amount of \$50 for posting the post-tax sale notice required by §47-1353.01;
- c. Costs for recording the certificate of sale, \$31.50;
- d. Cost of a title search, not to exceed \$300;
- e. All Post-Complaint Legal Expenses to which the tax sale purchaser is entitled to reimbursement under D.C. Code § 47-1377(a)(1)(B) where an

**DISTRICT OF COLUMBIA
2018 REAL PROPERTY TAX SALE
INFORMATIONAL GUIDE**

action to foreclose the right of redemption has been filed. Reasonable attorneys' fees shall be awarded as follows:

- i. In a case in which the property is redeemed before the fifth status hearing, reasonable attorneys' fees not to exceed \$1,500;
 - ii. In a case requiring 5 or more status hearings, reasonable attorneys' fees not to exceed \$1,500 plus \$75 for the fifth status hearing and each additional status hearing thereafter; and
 - iii. In a case in which a motion for judgment is filed with the court, additional attorneys' fees in the amount of \$300.
 - iv. In complex cases with prolonged representation not typical for tax sale foreclosure actions, other reasonable attorneys' fees incurred, as requested by the purchaser and approved by the court on a case-by-case basis.
- f. Expenses actually incurred as follows:
- i. Filing fees charged by the DC Superior Court;
 - ii. Service of process fee, including fees incurred attempting to serve process;
 - iii. If a second title search is conducted more than 6 months after the initial title search, a title search update fee, not to exceed \$75;
 - iv. Publication fee charged by a newspaper of general circulation in the District;
 - v. Posting fees;
 - vi. Postage and certified mail costs;
 - vii. Substantial repair order fee, not to exceed the fee charged the government agency issuing the certificate of substantial repair; and
 - viii. Any court approved expense for stabilization or conversion of, or to make safe and compliant with Chapter 31A of Title 42, the property under § 47-1363 or to comply with an action taken against the property by the Mayor in accordance with applicable building, fire, health or safety code.
- g. Pay all delinquent special assessments owed pursuant to an energy efficiency loan agreement under subchapter IX of Chapter 8 of Title 47.
- h. If the purchaser fails to satisfy the requirements for posting under § 47-1353.01 or fails to provide proof of posting required under § 47-1370(c)(4), the purchaser may not be entitled to collect the legal expenses set forth hereunder unless good cause for failure to meet the posting requirements is shown to the Superior Court.

Note: If the property owner does not pay all of the costs described above *before* the court order becomes final, the Superior Court of the District of Columbia will enter an order foreclosing the right of redemption of the property owner. After payment of all outstanding amounts by the Tax Sale purchaser, the District will issue a deed of title for the property to the Tax Sale Purchaser.

DISTRICT OF COLUMBIA
2018 REAL PROPERTY TAX SALE
INFORMATIONAL GUIDE

39. What documentation must a Tax Sale purchaser provide to OTR to receive a refund?

a. The purchaser should monitor the payment update page on OTR's website. The payment update page can be found by going to:

- i. www.mytax.dc.gov;
- ii. Then click on "Real Property;"
- iii. Click on "Real Property Tax Sale;"
- iv. Then click on "Real Property Tax Sale Payment Report" towards the bottom of the page; and
- v. Click on "Payment Report".

b. When a purchased real property account is brought to current (or to less than a \$100 balance), the purchaser should submit a claim for refund.

The following are necessary to timely process your refund relating to a single parcel:

- i. Copy of the Tax Sale Registration Form with DC Cashier's receipt documenting payment;
- ii. Copy of the Tax Sale Certificate (if issued to Purchaser);
- iii. Subsequent Tax Payments (if applicable) - Proof of payment (copy of DC Cashier's receipt or copy of cancelled check – front and back); and,
- iv. Pre-complaint Legal Expenses (if applicable), copies of the:
 - (i) Tax Sale Certificate; and
 - (ii) Title search and the paid receipt issued for the services rendered for the Pre-Complaint Legal Expenses or an affidavit or a statement from legal counsel attesting to the fact that the services for Pre-Complaint Legal Expenses were rendered. **Note: *The submitted document must state when such expenses were incurred - the purchaser will not be reimbursed for Pre-Complaint Legal Expenses incurred with 4 months from the last day of the tax sale.***

c. The purchaser may obtain a tax sale refund and continue the foreclosure action if legal fees have not been paid to the purchaser.

DISTRICT OF COLUMBIA
2018 REAL PROPERTY TAX SALE
INFORMATIONAL GUIDE

40. Post Judgment Equity Distribution

For homestead properties or properties occupied by heirs and beneficiaries as principal residences that are not redeemed, the court will order a sale of the property by a trustee. After allowed expenses, the purchaser shall be entitled, to the extent available, the lesser of 10% or \$20,000 of the remainder.